HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 199 of 2006 (SS)

Keshab Dutt Pandey s/o Sri Bala Dutt Pandey
Village Khurpatal, P.O. Khurpatal, District Nainital Petitioner

Versus

1. State of Uttaranchal
2. Director Uttaranchal Administrative Academy, Nainital
3. Executive Director, Apada Prabandhan Kendra, Uttaranchal
4. Union of India through its Secretary and Central Relief Commissioner, N.D.M. Home Ministry, New Delhi

..... Respondents

Sri I.P. Gairola, Advocate for the petitioner
Standing Counsel for the respondents.

Dated: 24.2.2006

Hon'ble Rajesh Tandon, J.

Heard the learned counsel for the parties.

By the present writ petition, the petitioner ahs prayed for a writ of mandamus directing the respondents to engage the petitioner as Class IV employee in Apada Prabandhan Kendra.

Briefly stated according to the petitioner initially he was engaged on daily wages under the control of respondent no.2 from 1.4.1997 to 30.6.1997 and 1.7.1997 to 30.9.1997 and thereafter he was engaged on monthly salary. by virtue of Office Memorandum dated 24.4.2004 it appears that the department itself was transferred to Dehradun and a direction was made

that the employees working at Nainital shall be absorbed at Dehradun in the Department.

The grievance of the petitioner is that two similarly situated employees have already been absorbed but the petitioner have not been taken into consideration. He had made representations on 2.9.2004, 16.10.2004, 19.1.05. and 23.11.05 but the same have not been decided as yet.

In view of the above, the respondents are directed to decided the representation of the petitioner in the light of policy issued vide office memorandum dated 24.4.2004, within three months after obtaining the certified copy of this order.

Accordingly, the writ petition is disposed of. No order as to costs.

Dated: 24.2.2006 **Rajesh Tandon, J.**

*Dhyani